TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE

FISCAL NOTE

SB 1291 - HB 1811

March 31, 2011

SUMMARY OF BILL: Exempts out-of-state residents from wearing a motorcycle helmet if the motorcycle is registered in a state that does not require persons over the age of 21 to wear a motorcycle helmet while operating the motorcycle.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Net Impact - Not Significant
Increase State Expenditures – Net Impact - Not Significant

Increase Local Revenue – Net Impact - Not Significant
Increase Local Expenditures – Net Impact - Not Significant

Assumptions:

- All states contiguous with Tennessee, except Kentucky and Arkansas, have helmet laws applying to all operators and passengers. Kentucky and Arkansas motorcyclists are exempt from wearing a helmet if they are over the age of 21.
- According to the Department of Safety, there are approximately 50 convictions for violations of the helmet law per year with an average fine of $15. Some of these violations for non-residents will be eliminated by the provisions of the bill but there could be an increase in some Tennessee riders attempting to ride without a helmet. The net impact on revenue and expenditures is estimated to be not significant.
- Any impact to local government will be similar to that of the state.
- According to the Department of Finance and Administration, very few individuals who are eligible to participate in the state sponsored public sector plans would be authorized to operate a motorcycle without a helmet under the provisions of the bill.
- According to the Bureau of TennCare, it is unlikely that any out-of-state resident injured in Tennessee would become a TennCare enrollee due to head injuries sustained due to the lack of a helmet. In rare instances, an individual could become Supplemental Security Income (SSI) benefit eligible and would then become a TennCare enrollee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

James W. White, Executive Director

/kml